

ONE HUNDRED TWELFTH CONGRESS
Congress of the United States
House of Representatives
COMMITTEE ON ENERGY AND COMMERCE
2125 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-6115

Majority (202) 225-2927
Minority (202) 225-3641

March 14, 2011

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The Honorable Julius Genachowski
Chairman
Federal Communications Commission
Room: 8-B201
445 12th Street, S.W.
Washington, D.C. 20554

Dear Chairman Genachowski:

I am concerned that FCC staff may be moving toward a misguided interpretation of the Local Community Radio Act of 2010 that will further delay a number of applications for new FM translator stations pending since 2003. This would be a disservice to both the applicants and the local communities they hope to serve.

The interpretation in question argues that the FCC must take into account the number of existing on-air or authorized FM translator stations when processing applications for new translator stations. Such an interpretation would have the result of favoring the licensing of new low-power radio stations over the licensing of new FM translator stations, in direct violation of section 5(3) of the Local Community Radio Act, which states that "FM translator stations, FM booster stations, and low-power FM stations remain equal in status."

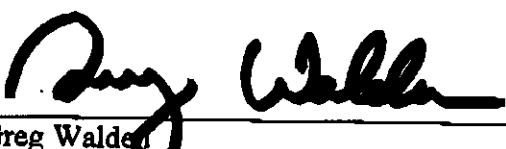
Section 5 also makes clear that it applies to "licensing *new* FM translator stations, FM booster stations, and low-power FM stations" (emphasis added). The law says nothing about taking *existing* translator stations into account. Rather, section 5(2) says the FCC's decisions should be "based on the needs of the local community."

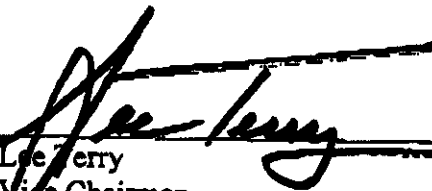
The Local Community Radio Act should not be used to delay the processing of existing applications for new FM translator stations. It simply requires the FCC to ensure that "licenses are available to FM translator stations, FM booster stations, and low-power FM stations," as stated in section (5)(1).

Letter to the Honorable Julius Genachowski
Page 2

Please contact Committee staff Ray Baum or Neil Fried at (202) 225-2927 to provide an explanation of the FCC interpretation and current status of licensing applications.

Sincerely,


Greg Walden
Chairman
Subcommittee on Communications
and Technology


Lee Terry
Vice Chairman
Subcommittee on Communications
and Technology

cc: The Honorable Fred Upton, Chairman

The Honorable Henry A. Waxman, Ranking Member

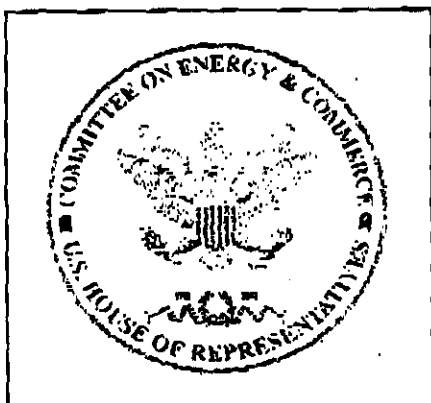
The Honorable Anna G. Eshoo, Ranking Member
Subcommittee on Communications and Technology

The Honorable Michael J. Copps, Commissioner
Federal Communications Commission

The Honorable Robert M. McDowell, Commissioner
Federal Communications Commission

The Honorable Mignon Clyburn, Commissioner
Federal Communications Commission

The Honorable Meredith Attwell Baker, Commissioner
Federal Communications Commission



***Committee on Energy and Commerce
Republican Office***

U.S. House of Representatives

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To: Ms. Terri Glaze, Director of Legislative Affairs, Federal Communications Commission for
Chairman Julius Genachowski, Federal Communications Commission

From: Rep. Greg Walden; Chairman, Subcommittee on Communications and Technology
Rep. Lee Terry; Vice Chairman, Subcommittee on Communications and Technology

Fax: (202) 418-2806

Date: March 14, 2011

Phone:

Pages: 3 (including cover)

Notes:



FEDERAL COMMUNICATIONS COMMISSION

June 20, 2011

JULIUS GENACHOWSKI
CHAIRMAN

The Honorable Greg Walden
Chairman
Subcommittee on Communications and Technology
Committee on Energy and Commerce
U.S. House of Representatives
2125 Rayburn House Office Building
Washington, D.C. 20515

Dear Chairman Walden:

Thank you for your letter regarding implementation of the Local Community Radio Act of 2010 (LCRA). I appreciate your concerns that the LCRA not delay the review and processing of pending applications to establish new FM translator stations. As you requested, I have asked Commission staff to follow up with your staff to discuss issues associated with this matter.

Commission staff is currently evaluating the existing policy for processing FM translator applications in light of the LCRA directive to ensure that licenses are available to both FM translator stations and LPFM stations. The next formal step is for the Commission to issue a Notice of Proposed Rulemaking to examine this and other provisions of the LCRA. Any step forward will provide ample time for the public, as well as Members of Congress, to comment on the proposals our staff recommends. I look forward to engaging with you further as we undertake implementation of the LCRA.

I appreciate your interest in this important matter. Please do not hesitate to contact me if I may be of further assistance.

Sincerely,

A handwritten signature in black ink, which appears to be "Julius Genachowski", is written over a large, stylized, handwritten "Z" or "J" shape.

Julius Genachowski



FEDERAL COMMUNICATIONS COMMISSION

June 20, 2011

JULIUS GENACHOWSKI
CHAIRMAN

The Honorable Lee Terry
Vice Chair
Subcommittee on Communications and Technology
Committee on Energy and Commerce
U.S. House of Representatives
2125 Rayburn House Office Building
Washington, D.C. 20515

Dear Congressman Terry:

Thank you for your letter regarding implementation of the Local Community Radio Act of 2010 (LCRA). I appreciate your concerns that the LCRA not delay the review and processing of pending applications to establish new FM translator stations. As you requested, I have asked Commission staff to follow up with your staff to discuss issues associated with this matter.

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I appreciate your interest in this important matter. Please do not hesitate to contact me if I may be of further assistance.

Sincerely,

A handwritten signature of Julius Genachowski is written over the word "Sincerely,". The signature is in black ink and is stylized, with a large, sweeping initial "J" and "G".

Julius Genachowski